

REMARKS

Claims 1-30 are pending. Claims 1-8, 11-19 and 22-29 have been amended without narrowing their scope. Claims 1, 11 and 22 are the only independent claims.

As to the position taken in the Office Action that claims 14-17 are substantially duplicative of claims 3-6, Applicant wishes to point out that while claims 3-6 are directed to a network system, claims 14-17 are directed to a wavelength multiplexer. For at least this reason, the scope of the respective claims is not identical.

Claims 1, 2, 7, 8, 11, 12, 18, 19, 22, 28 and 29 were rejected under 35 U.S.C. § 112, second paragraph, as indefinite.

The claims have been carefully reviewed and amended as deemed necessary to ensure that they conform fully to the requirements of Section 112, second paragraph, without narrowing their scope. As to the objection to reciting an element having the term "second" without a "first" one of that element, there is no statute or regulation that prevents such a recitation. As long as the scope of the claim can be determined, after having read the specification, a claim conforms to Section 112, second paragraph. It is believed that the rejection under Section 112, second paragraph, has been obviated, and its withdrawal is therefore respectfully requested.

Claims 1-6, 9-17, 20-27 and 30 were rejected under 35 U.S.C. § 102(a) as anticipated by the Callegati article. Applicant traverses.

Claim 1 is directed to a data multiplexing network system including: a wavelength division multiplexing network; a first wavelength multiplexing function unit for setting a plurality of different wavelengths which correspond to a plurality of different service classes, respectively, and for mapping each of a plurality of packets into a correspondent-wavelength corresponding to a particular one of the plurality of

different service classes to which the packet belongs, and for multiplexing the correspondent-wavelengths for the plurality of different service classes for a data transmission at a multiplexed-wavelength through the wavelength division multiplexing network; and a second wavelength multiplexing function unit for receiving the each correspondent-wavelength and for fetching a packet therefrom.

Callegati shows a method of using wavelength multiplexing to solve the problem of contention for the use of fiber delay lines. However, it does not teach or suggest that different wavelengths correspond to different service classes, as in claim 1. In Callegati, the handling of different service classes is discussed at Section V. In this section, three techniques are discussed for handling service differentiation. Each of these three techniques involves allocating a different number of wavelength converters to each service class, but does not correlate wavelengths to service classes as recited in claim 1. For at least this reason, claim 1 is believed patentable over Callegati.

The other independent claims also recite a similar feature and are believed patentable for similar reasons.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

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Respectfully submitted,

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